IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

MARK MILLER, SCOTT COPELAND,	S	
Laura Palmer, Tom Kleven, Andy	S	
Prior, America's Party of Texas,	S	
CONSTITUTION PARTY OF TEXAS,	S	
GREEN PARTY OF TEXAS, and	S	
LIBERTARIAN PARTY OF TEXAS,	S	
Plaintiffs,	S	
	S	
V.	S	No. 1:19-cv-00700-RP
	S	
JOHN B. SCOTT, in his or her official	S	
capacity as the Secretary of State of	S	
Texas, and JOSE A. "JOE" ESPARZA, in	S	
his official capacity as the Deputy	S	
Secretary of State of the State of Texas,	S	
Defendants.	S	

JOINT REQUEST FOR STATUS CONFERENCE

Defendants John B. Scott in his official capacity as Secretary of State of Texas and Jose A. "Joe" Esparza in his official capacity as Deputy Secretary of State of Texas (collectively, "Defendants"), and Plaintiffs, Mark Miller, Scott Copeland, Laura Palmer, Tom Kleven, Andy Prior, America's Party of Texas ("APTX"), the Constitution Party of Texas ("CPTX"), the Green Party of Texas ("GPTX"), and the Libertarian Party of Texas ("LPTX") (collectively, "Plaintiffs") file this Joint Request for Status Conference. In support thereof, the parties respectfully submit the following:

The parties respectfully request a short conference to discuss the status of this case.

The Parties have fully briefed cross-summary judgment motions, and have resolved

evidentiary disputes related thereto. The Parties await the Court's ruling on those motions.

This case was previously set for bench trial on January 18, 2022. Dkt. 48. On December

8, 2021, the Court reset trial for May 2, 2022. Dkt. 86.

On April 5, 2022, the Court held a status conference with counsel regarding trial. Dkt.

93. The Parties and Court discussed the pending cross motions for summary judgment, and

noted the case is set for bench trial. The Parties urged the Court to consider that its ruling on

the pending dispositive motions will either obviate trial, or expose evidentiary gaps where

questions of fact preclude summary judgment. The Court agreed a ruling on the summary

judgment motions in advance of trial was merited, and reset trial for July 18, 2022. Dkt. 95.

With trial now approximately six weeks away, the Parties request a short status

conference with the Court to discuss expectations for keeping the current trial date; whether

issues for trial may be narrowed by a summary judgment ruling; and other preparations

attendant to trial.

CONCLUSION

In light of the foregoing, the parties respectfully request that the Court grant the Joint

Request for Status Conference.

Dated: June 6, 2022

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Respectfully submitted,

<u>/s/ Ryan G. Kercher</u>

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CERTIFICATE OF SERVICE

I certify that that on June 6, 2022 this document was filed electronically via the Court's CM/ECF system, causing electronic service upon all counsel of record.

/s/ Ryan G. Kercher
RYAN G. KERCHER
Assistant Attorney General